

NEGLECT

1. DEFINITION OF NEGLECT:

Failure to provide, by those responsible for the care, custody, and control of the child, the proper or necessary support, supervision, nutrition, or any other care necessary for his well being.

2. INDICATORS/CHARACTERISTICS OF NEGLECT:

The indicators of child abuse and neglect vary. No child or caretaker will exhibit all of the physical or behavioral indicators and some of the indicators are contradictory. The behavior of an abused or neglected child and other family members may be sporadic and unpredictable. Indicators should be used only as a general guide. The presence of multiple indicators or the pervasiveness of any one behavioral indicator warrants close scrutiny by the worker.

CHILD'S PHYSICAL INDICATORS

- Consistent hunger, poor hygiene, inappropriate dress
- Consistent lack of supervision, i.e., child participates in dangerous activities or is unsupervised for long periods of time
- Abandonment
- Often tired or listless
- Lack of adequate clothing
- Illnesses associated with excessive exposure and poor hygiene (home or personal--EXAMPLE-persistent scabies, bacterial infections, persistent head lice)
- Persistent diaper rash or other skin disorder
- Chronically dirty or unbathed
- Developmental delays (EXAMPLE-three-year old that doesn't verbalize)
- Consistently low blood count
- Improper growth patterns, low weight or weight loss

PHYSICAL CONDITION IN THE HOME

- Exposed wiring, frayed electrical cords, dangerous electrical outlets
- Inadequate heating
- Broken windows and/or screens over the windows
- Unsanitary housing conditions
- Exposed heating elements or fan blades
- Absence of railings on stairs, broken stairs, or open windows
- Chemical substances or dangerous objects (knives, guns) improperly stored and within reach of children
- Human or animal feces or garbage which has been inappropriately disposed
- Inoperative indoor or outdoor bathroom facilities
- Inadequate, insufficient, or unsanitary sleeping provisions (EXAMPLE-not enough or clean enough beds, cots, mattresses, and blankets for all, including an infant's sleeping place which does not have sides to prevent falling out
- Infestation by rodents or vermin
- Vicious or uncontrolled animals in the home
- Inoperable electricity and heating in the home in cold weather, and lack of proper ventilation in summer and winter
- Inadequate space to provide some privacy to family members of various ages/sexes
- Small objects that can be swallowed if left within the reach of the child
- Objects lying about the home that the child might fall over or be injured by
- Insufficient quantity of nutritious and edible food that meet the child's needs (food that is not rotten, moldy, insect-infested, or in any other way contaminated)
- Inadequate equipment and provisions for cooking and refrigerating food

- Inadequate or unsafe water supply
- Inadequate or unsafe sewer system
- Fire hazards (EXAMPLE-piles of clothing or paper, flammable materials improperly stored i.e., gasoline)

Although many of these conditions will be apparent through the worker's observations, the worker should discuss conditions with the caretaker. In particular, the worker should find out what precautions the caretaker has taken to protect the child from potentially harmful conditions.

BEHAVIORAL INDICATORS

- Child begs or steals food
- Child assumes an excessive amount of responsibility or relies heavily on another child
- Child attends school irregularly, including excessive tardiness
- Child remains at home for extended hours
- Child falls asleep, is fatigued or listless in school
- Child abuses drugs or alcohol
- Child engages in delinquent or status offender behavior or has other contact with Juvenile or other Law Enforcement authorities
- Extended stays in school (early arrival and late departure) or other places where care is provided
- Child states there is no caretaker
- Child unable to form appropriate relationships with peers and adults
- Eating disorders (EXAMPLE-over eating/hoarding food)

PARENTAL/FAMILIAL CHARACTERISTICS

- Highly stressful family situations
 - *Single parent family
 - *Several children

*Recent marital problems

*Insufficient financial and other resources for child care

- Isolated within the neighborhood
- Mental retardation, character disorders, emotional illness of parent(s)

*Coldness, inability to empathize with child's needs

*Alcoholism, drug abuse

*Loneliness

*Poor self-esteem, immaturity, dependent, unable to carry continuing responsibility, poor or distorted judgment

*Depressed

*Limited intellectual capacity

- Parental history also reflects neglect
- Parents are indifferent, emotionally detached from each other and/or the child(ren)
- Disorganized, inconsistent family life
- Parent(s) is unable to make decisions, passively accepts events, waits for others to solve problems/provide needs
- Parent(s) is unwilling to accept referrals for tangible services
- Parent(s) is unable to give information on child(ren)'s immunizations, illnesses, childhood milestones (EXAMPLE-potty-training, first began talking, walking)
- Parent(s) has long-term chronic illness
- Parent(s) cannot be found
- Parent(s) provides for self before providing for needs of child (EXAMPLE-coats, shoes, etc.)
- Parent(s) is apathetic, feels nothing will change

LACK OF SUPERVISION: To establish "lack of supervision" there must be evidence that those responsible for the care, custody and control of the child were negligent in their decision making or supervision of the child. Negligence is present if the parent/caretaker ignored or disregarded pertinent information about either the child's behavior history and self-management abilities, or those of the person actually harming the child. (Example: If a parent/caretaker has no knowledge of one child's sexual aggression against other children, and puts this child under that child's supervision, they have not failed to adequately supervise the child. However, if the parent or caretaker is aware of the history and places this child in the setting anyway (s)he has ignored that history and there may be a finding of Lack of Supervision. There are two distinctly different forms of lack of supervision, "inattentive parenting" and "left home alone." The inattentive parent is at home with the child, but likely to be apathetic and detached. Children of inattentive parents tend to be sexually and emotionally maltreated, medically neglected and allowed to participate in dangerous activities. Parents who leave their children home alone are warmer, not apathetic and tend to do so because of lack of financial or day care resources.

Not all reported incidents of children being left alone or given responsibility for the care and supervision of younger children should result in a finding of lack of supervision. The worker should assess each situation based on the individual child's knowledge and maturity level. The following questions are designed to assist the worker in assessing whether a child has sufficient knowledge and maturity to care for him/herself and/or other children.

ABILITY TO LOCATE PARENTS AND HOME

- What is your name?
- What are your parent(s)' name?
- What's your address and phone number? (If home has no phone, who would you call if you were away from home and needed to call your parent(s)?)

ABILITY TO TELEPHONE FOR HELP

- Can you use a phone by yourself?
- Tell me how you would call a friend?
- If there was an emergency, could you call someone for help? Who would you call for help?
- Where are emergency numbers?

- What information would you need to give the police, fire department, or ambulance on the phone?
- Do you know how to use a pay phone?
- How would you call for help on a pay phone if you didn't have any money?

KNOWLEDGE OF FIRE SAFETY

- What would you do if you were in the house alone and the house caught on fire?
- What would you do if there were other children in the house and it caught on fire?
- How could you get out of this room? (each room of the house)
- What is the safest way to get out of a building full of smoke?
- Where would you go when you got out of the house?
- Would you try to save your pet dog or cat by looking for them in a burning house?

KNOWLEDGE OF ELECTRICAL SAFETY

- Is it safe to have more than two objects plugged into an outlet?
- Why is it unsafe to have your radio plugged in and setting on the edge of the bathtub?
- What could happen to you if you stuck your finger or an object into an outlet?
- What would you do if you saw someone who is wet, or standing in water, begin to plug something in?

ABILITY TO PROTECT SELF FROM STRANGERS

- Do you know what a stranger is?
- What are some safety rules about strangers?
- What things can you do when you're home alone to protect yourself from strangers?

- What would you do if you were home alone, and you thought someone was trying to break in?
- What would you do if a man came to your house at night and told you he wanted to come in and that he was a policeman?

KNOWLEDGE OF COOKING SAFETY

- Can you cook?
- What kinds of things can you fix to eat?
- What safety rules do you know about cooking? (EXAMPLES-never leave pots unattended, turn handles to inside of stove, clean up spills, watch out for little kids, etc.)
- What would happen if you left a chicken cooking in water and forgot it?
- What could happen if you put water on hot grease?
- How do you put out a grease fire?

FIRST AID KNOWLEDGE

- What would you do if a little hot grease popped on you or someone else?
- What would you do for a little cut or scratch?
- What would you do for a big cut with lots of blood pouring out?
- What would you do if a child you were watching got hit by a car and just laid there?
- What would you do if someone's clothes caught on fire?
- What can you do to help someone who has a nosebleed?
- What would you do if you saw a little kid drink something poison?
- What would you do if you saw someone drowning?

STORM SAFETY KNOWLEDGE

- What is the safest thing to do if a tornado is coming?
- What does a tornado sound and look like?

- What would you do if you were home alone and the lights and heat went out?
- What if it started getting very, very cold?

CARING FOR OTHER CHILDREN

- What would you do if two children you were babysitting for got into a fight?
- How old should a kid be before he can take a bath by himself?
- What would you do if one child you were watching ran off?
- Tell me some things you think are important to keep little kids safe?

LONG ABSENCES

- What would you do if your parents left and didn't come back when they said they would?
- What would you do if they didn't come back all night?
- What if they didn't come back by dinner time the next day?

CHILD'S ABILITY TO DEAL EMOTIONALLY WITH PARENT ABSENCES

- Do you like to stay alone?
- Are you scared when you're home by yourself in the daytime? At nighttime?
- What do you do when you're home alone and get scared?

3. TYPES OF EVIDENCE:

Evidence is collected by law enforcement personnel, Children's Division (CD) and multi-disciplinary team members and used as both physical and credible verbal evidence to document the worker's investigative conclusion. Evidence for reports of neglect may include any one or all of the following:

- Photographs;
- Witness' statement;
- Licensed medical practitioner's report;

- Law enforcement reports;
- Perpetrator's statement;
- Fire Marshall reports;
- Health Department reports;
- School reports;
- Workers Observation;
- Child statements.

Chapter 210 requires the investigator to conduct a thorough investigation. To that end, investigators are allowed to contact anyone with information relevant to the CA/N report without the knowledge and/or consent of the subjects. This includes interviewing the child without the knowledge and/or consent of the parent. When the child is seen without parental consent, every effort should be made to involve the parents as quickly as possible.

VISIBLE SIGNS

Visible signs are those observations made by the worker during the course of the investigation. Visible signs include, but are not limited to: the size, shape and location of an injury, behavioral indicators of family members, and physical condition of the family home.

4. OPERATIONAL DEFINITIONS:

PREPONDERANCE OF EVIDENCE: A finding that neglect has occurred or is occurring as a result of the observation of visible signs, physical and/or credible verbal evidence provided to the investigator by the child, perpetrator, or witness in accordance with the definition of neglect and which is supported to a degree of evidence that is of greater weight or more convincing than the evidence which is offered in opposition to it or evidence which as a whole shows the fact to be proved to be more probable than not.

Related Subject: Section 2, Chapter 4, Attachment X Preponderance of Evidence

UNSUBSTANTIATED-PREVENTIVE SERVICES INDICATED: A finding of Unsubstantiated-Preventive Services indicated is appropriate when insufficient visible signs, physical and/or credible verbal evidence exist, but where the investigator determines that indicators are present which, if unresolved, could potentially contribute to child abuse/neglect.

UNSUBSTANTIATED: A finding of unsubstantiated is appropriate where insufficient physical or credible verbal evidence exists, and where few or no indicators are identified and the worker has not identified a specific threat exists for the child.

INVESTIGATIVE CONCLUSION: This is determined after collecting and reviewing all evidence and/or indicators obtained during the course of the investigation. If there is a finding by a preponderance of evidence that child abuse or neglect exists the investigative conclusion will be "Preponderance of Evidence." If the evidence is inconclusive, but there are sufficient indicators to suggest a potential for abuse/neglect to a child, the investigative conclusion will be "Unsubstantiated-Preventive Services indicated." Lacking evidence and sufficient indicators, the investigative conclusion will be "Unsubstantiated."

PRIORITY STATUS: This is to be determined based on the degree of risk to the child and the immediacy of the treatment needs. In a large part, this is based on the investigator's judgment and knowledge of the family situation.

INVESTIGATIVE RECORDING: Shall be completed in a summarized narrative style on the CPS-1. It should be written in a clear, concise, easily understood manner and include but not limited to the following components:

- A chronological listing of who, when, where each subject and/or collateral was contacted and the content of the interviews;
- A brief description of all credible verbal and/or physical evidence provided to the worker during the investigation;
- A statement justifying the investigator's conclusion i.e., probable cause, Unsubstantiated-Preventive Services indicated or Unsubstantiated.

MEMORANDUM HISTORY: CS03-51, CD04-79